



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

April 21, 2006

DR. MATTHIAS SCHOLL
SCHOLL PATENT AGENCY
14781 MEMORIAL DRIVE
SUITE 1319
HOUSTON, TX 77079
US

Dear Sir/Madam,

Your refund request for 10536830 in the amount of \$490.00 has been denied.

The declaration/oath was filed after the original filing of the application and there was a multiple claim present at filing:


Sincerely,
RITA WHITE
PCT - National
703 308-9140 x231

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ⁷⁰⁰⁵ DEC 14 Fil 5:51

In re Application of:
 Johannes-Theodor MENKE et al.
 US National Stage Serial No.:
 10/ 536,830
 Conf. No: 6635
 371(c) Date: 06/13/05
 (incorrect, to be corrected)
 For: MOTOR VEHICLE DOOR

Atty Docket No. KKRT-00101-NUS
 Art Unit: 3676
 Examiner: Not yet assigned
 Paper Type: Request for Refund
 Date transmitted: 12/14/05

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 61.8(a)

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (571) 273-8300) on the date indicated below:

December 14, 2005
 Date of Signature and
 of Facsimile Transmission

/Matthias Scholl/
 Dr. Matthias Scholl

Mail Stop 16 and
 Mail Stop 17
 Director of the U.S. Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

SUBMITTED BY FAX ONLY TO: +1 571-273-6500 and +1 571-273-8300

REQUEST FOR REFUND UNDER 37 CFR 1.26

DEAR SIR:

Petitioner hereby requests a refund in the amount of \$490.00 charged by the Office to the Deposit Account No. 503182 as follows:

DATE	SEQ	FEE CODE	AMOUNT
11/17	14	1616	\$360.00
11/17	15	1617	\$130.00.

The multiple dependent claims fee in the amount of \$360.00 should be refunded because a preliminary amendment originally transmitted on 9/15/05 (and retransmitted 12/14/05) removed

multiple claim dependencies. The amendment should have reached the Office before fees were charged.

The surcharge fee for filing an oath after 30 months from priority date should be refunded because the oath was originally filed on 5/28/05, i.e., together with the initial request for examination under 35 USC 371. Although the oath was entered into IFW, it was apparently misidentified as not an oath (See PAIR under the entry "05/28/2005 -- Documents submitted with 371 Applications"). A second oath/power of attorney was transmitted on 6/13/05. However, the first oath submitted should have been recognized and accepted.

Accordingly, Petitioner respectfully requests a refund in the full amount previously paid to **Deposit Account No. 503182**. A duplicate copy of this sheet is enclosed.

Scholl Patent Agency
14781 Memorial Drive #1319
Houston, TX 77079
Tel (888) 259-9211
Fax (888) 259-9223
Customer Number: **33,794**

Respectfully Submitted,
/Matthias Scholl/
Dr. Matthias Scholl
Reg. No. 54,947
Agent for Applicant(s)

Date: December 14, 2005